

## **REMARKS**

This is a full and timely response to the outstanding non-final Office Action mailed September 13, 2004. Upon entry of the amendments in this response, claims 1 - 20 remain pending. Applicant has amended claims 1 and 11. Reconsideration and allowance of the application and presently pending claims are respectfully requested.

### **Rejections Under 35 U.S.C. §102**

The Office Action indicates that claims 1 – 7, 10, 11 – 14 and 18 - 19 stand rejected under 35 U.S.C. §102(e) as being unpatentable over *Anderson*. Applicant respectfully traverses the rejection. In particular, Applicant submits herewith a Declaration Under 1.131 that shows evidence of conception, which predates the filing date of *Anderson* and which is coupled with diligence through the filing date of the present application. Therefore, Applicant respectfully asserts that *Anderson* is not a proper reference for rendering the pending claims unpatentable. For at least this reason, Applicant respectfully requests that the rejections under 35 U.S.C. 102 be removed and that claims 11 – 7, 10, 11 – 14 and 18 – 19 be placed in condition for allowance.

### **Rejections Under 35 U.S.C. § 103**

The Office Action indicates that claims 8 – 9, 15 – 16 and 20 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over *Anderson* in view of PhotoAccess Corporation (“PhotoAccess”). Applicant respectfully traverses the rejection. Specifically, Applicant respectfully asserts that *Anderson* is not properly asserted against the pending claims as indicated above in the section of this Response entitled “Rejections Under 35 U.S.C. 102.” Additionally, as set forth in detail below, Applicant respectfully asserts that PhotoAccess does

not teach or reasonably suggest all the features/limitations recited in the respective independent claims from which claims 8 – 9, 15 – 16 and 20 depend, respectively.

In particular, claim 1 recites:

1. (Currently Amended) An on-line system for providing imaging services comprising:  
client-ware running on a web-enabled imaging device for submitting requests for imaging services available on an on-line imaging services site;  
***said web enabled imaging device including a user profile containing information associated with said imaging services and communicating said requests for imaging services directly to the on-line imaging services site.***  
(Emphasis Added).

Applicant respectfully asserts that PhotoAccess, either individually or in combination with the cited art of record, does not teach or reasonably suggest at least the features/limitations emphasized above in claim 1. Therefore, Applicant respectfully asserts that claim 1 is in condition for allowance. Since claims 8 – 9 are dependent claims that incorporate the features/limitations of claim 1, Applicant respectfully asserts that these claims also are in condition for allowance.

With respect to claim 11, that claim recites:

11. A user profile stored in a web-ready imaging device, for accessing digital imaging services available on an on-line digital imaging services site, ***the web-ready imaging device being operative to communicate directly with the on-line digital imaging services site such that the user profile is communicated to the on-line digital imaging services site.***  
(Emphasis Added).

Applicant respectfully asserts that PhotoAccess, either individually or in combination with the cited art of record, does not teach or reasonably suggest at least the features/limitations emphasized above in claim 11. Therefore, Applicant respectfully asserts that claim 11 is in condition for allowance. Since claims 15 – 16 are dependent claims that incorporate the features/limitations of claim 11, Applicant respectfully asserts that these claims also are in condition for allowance.

With respect to claim 18, that claim recites:

18. A method of providing on-line imaging services in a system comprising a digital imaging services site and web-enabled imaging device including a user profile, said method comprising:

*connecting the web-enabled imaging device directly to an Internet service provider;*

establishing a connection between the imaging services site designated in the user profile and the device;

submitting a request generated by the device for imaging services to the digital imaging services site;

examining the user profile for information pertaining to the submitted request at the imaging services site, in response to said request; and

providing one or more imaging services in accordance with the submitted request and information included in the user profile.

(Emphasis Added).

Applicant respectfully asserts that PhotoAccess, either individually or in combination with the cited art of record, does not teach or reasonably suggest at least the features/limitations emphasized above in claim 18. Therefore, Applicant respectfully asserts that claim 18 is in condition for allowance. Since claim 20 is a dependent claim that incorporates the features/limitations of claim 18, Applicant respectfully asserts that this claim also is in condition for allowance.

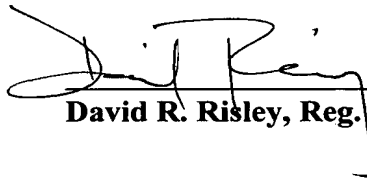
#### **Cited Art Made of Record**

The cited art made of record has been considered, but is not believed to affect the patentability of the presently pending claims.

### CONCLUSION

In light of the foregoing amendments and for at least the reasons set forth above, Applicant respectfully submits that all objections and/or rejections have been traversed, rendered moot, and/or accommodated, and that the now pending claims 1 - 20 are in condition for allowance. Favorable reconsideration and allowance of the present application and all pending claims are hereby courteously requested. If, in the opinion of the Examiner, a telephonic conference would expedite the examination of this matter, the Examiner is invited to call the undersigned attorney at (770) 933-9500.

Respectfully submitted,



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I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, postage prepaid, in an envelope addressed to: Assistant Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on 10/28/04.

  
Signature